

MINUTES FOR THE
ARIZONA BOARD OF BARBERS
September 11, 2006

Arthur Dean Knox presided and called the meeting to order at 10:08 a.m. Roll was called with all members present. Also present were Marc Harris, Assistant Attorney General, Sam LaBarbera, Executive Director, Sam Barcelona, Administrative Assistant and Mary Jane Jones, Secretary.

Present:	Arthur Dean Knox	Michael Bogle
	Ross Pacheco	Jackie Gill-Solares
	Terry Lara	

Ross Pacheco moved to approve the minutes of May 1, 2006. Terry Lara seconded the motion; motion passed unanimously.

Ross Cooley was presented with a plaque for his services to the Board as a member and Chairman of the Board for the last ten years.

Status Update and Proposed Consent Agreement – Complaint No. 2006-002 Mariela German. Sam LaBarbera reported to the Board that Ms. German had paid her fine and signed the Consent Agreement.

Informal Interview – Complaint No. 2007-001 Freddy Cedano (Establishment License No. 1460-E). Freddy Cedano was present and represented himself. Mr. Barcelona reported that he inspected this shop on January 28, 2006 and found a student working there as a barber.

Mr. Cedano told the Board he thought the student had passed his test and would be given his license in a few days. Jackie Gill-Solares asked Mr. Cedano if he was aware that he was not supposed to hire a barber without seeing the license. Mr. Cedano said yes. Ms. Gill-Solares then asked Mr. Cedano if it had crossed his mind that it would be wise to have the student wait to start working until he had received the license. Mr. Cedano said he thought the student had a license and only the paperwork needed to be completed.

Michael Bogle moved to accept paragraphs 1-4 of the Notice of Informal Interview as findings of fact, paragraph 5 of the Notice of Informal Interview as a conclusion of law and offer a consent agreement stipulating a \$350 civil penalty and a year's probation. Mr. Pacheco seconded the motion.

Mr. Bogle amended his motion to stipulate the civil penalty would be paid within 30 days of signing the consent agreement or this matter would go to a formal hearing if Mr. Cedano does not agree to the consent agreement. Ms. Lara seconded the amended motion; motion passed unanimously.

Informal Interview – Complaint No. 2007-002 Tommy Stevens (Barber License No. 4721).

Tommy Stevens was present and represented himself. Ms. Gill-Solares recused herself because Mr. Stevens had been her student. Mr. Stevens admitted he had told Mr. Cedano he thought he had passed his exam. He had brought cousins and friends into the shop for a demo haircut and he did not charge for the demo haircut. Mr. LaBarbera said the issue here was not whether a fee was charged but that it was performed in a licensed shop.

Mr. Pacheco moved to adopt paragraphs 1-4 of the Notice of Informal Interview as findings of fact, paragraph 5 of the Notice of Informal Interview as a conclusion of law, to offer a consent agreement in lieu of a formal hearing which will assess a civil penalty of \$200 and which must be accepted within 30 days or this issue will go to a formal hearing. Mr. Bogle seconded the motion; motion passed unanimously.

Conference call with Rafiq Mustafa. In 2001 Mr. Mustafa was issued an Order by this Board which required his license to be renewed on time or the license would be revoked as well as a \$500 civil penalty. It was not renewed and was subsequently revoked.

Mr. Mustafa said he had not received a copy of the Order and had moved from the State. What could he do to get his license back in Arizona? He also wanted to know about the \$500 civil penalty that was included in the Order.

Marc Harris, Assistant Attorney General, said it was not a consent agreement but an order.

After discussion, Mr. Knox moved to have the staff send a letter to Mr. Mustafa and tell him that his unpaid fine will be turned over to the Attorney General for collection if it is not paid. Ms. Gill-Solares seconded the motion; motion passed unanimously.

Concerned about the length of this meeting, Mr. Knox moved to have an informal interview for the agenda items E through I. Mr. Pacheco seconded the motion; motion passed unanimously.

Update on USA Barber College. Mr. LaBarbera reported that the bond is in the process of being issued for the sale of the school to new owners.

The next meeting will be November 13, 2006.

Adjournment. Mr. Pacheco moved to adjourn. Ms. Lara seconded the motion; motion passed unanimously.

Sincerely,

September 11, 2006

Arthur Dean Knox, Chairman

Mary Jane Jones, Secretary